

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

MILLICENT PLATT,	:	
	:	
Plaintiff,	:	CIVIL ACTION
	:	
v.	:	
	:	
FIREMAN'S FUND INSURANCE COMPANY,	:	NO. 11-4067
	:	
Defendant.	:	

ORDER

AND NOW, this 22nd day of *May*, 2012, upon consideration of Defendant Fireman's Fund Insurance Company's Motion for Partial Summary Judgment (Docket No. 40), Plaintiff Millicent Platt's Response in Opposition (Docket No. 44), and Defendant's Reply Brief (Docket No. 46), it is hereby **ORDERED** as follows:

1. Defendant's Motion for Summary Judgment on Plaintiff's claim that Defendant acted in bad faith by delaying its investigation into her source of First Party Benefits is **DENIED**;
2. Defendant's Motion for Summary Judgment on Plaintiff's claim that Defendant acted in bad faith by delaying payment of her wage loss claim is **GRANTED** and **JUDGMENT IS ENTERED** in favor of Defendant on this claim;
3. Defendant's Motion for Summary Judgment on Plaintiff's claim that Defendant's deduction of disability benefits from her wage loss check constitutes bad faith is **GRANTED** and **JUDGMENT IS ENTERED** in favor of Defendant on this claim;
4. Defendant's Motion for Summary Judgment on Plaintiff's breach of contract claim is **GRANTED** and **JUDGMENT IS ENTERED** in favor of Defendant on this claim;
5. Defendant's Motion for Summary Judgment on Plaintiff's request for attorney's fees is **DENIED**.

BY THE COURT:

s/ Ronald L. Buckwalter
RONALD L. BUCKWALTER, S.J.